

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

HOUEN TIM

Plaintiff,

-v.-

Civil Action No.
6:12-cv-1761 (GLS/ESH)

CAROLYN W. COLVIN,
Acting Commissioner of
Social Security

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Office of Peter M. Hobaica, LLC
2045 Genesee Street
Utica, New York 13501

B. BROOKS BENSON, ESQ.

FOR THE DEFENDANT:

Social Security Administration
Office of Regional General Counsel
Region II
26 Federal Plaza - Room 3904
New York, New York 10278

JASON PECK, ESQ.

GARY L. SHARPE,
CHIEF JUDGE

ORDER

The above-captioned matter comes to this court following a Report-
Recommendation by Magistrate Judge Earl S. Hines, duly filed January 31,

2014. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED that the Report-Recommendation of Magistrate Judge Earl S. Hines filed January 31, 2014 (Dkt. No. 16) is ACCEPTED in its entirety for the reasons stated therein; and it is further

ORDERED that the Commissioner's decision denying disability benefits is REVERSED and the case is REMANDED pursuant to 42 U.S.C. § 405(g), sentence four, for further proceedings; and it is further

ORDERED, that the Clerk of the Court is to mail copies of the Order to the parties in accordance with the court's local rules.

IT IS SO ORDERED.

Dated: March 4, 2014
Albany, New York


Gary L. Sharpe
Chief Judge
U.S. District Court